

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

FRIDAY IKIINWII,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.
	)	
AMERICA’S CENTER CONVENTION	)	
COMPLEX	)	
	)	<b>PLAINTIFF DEMANDS</b>
and	)	<b>TRIAL BY JURY</b>
	)	
ST. LOUIS CONVENTION AND	)	
VISITORS COMMISSION	)	
	)	
Defendants	)	

**COMPLAINT**

**INTRODUCTORY STATEMENT**

1. This is a civil action seeking money damages against the AMERICA’S CENTER CONVENTION COMPLEX ( hereinafter “AMERICA’S CENTER”) and SAINT LOUIS CONVENTION AND VISITORS COMMISSION (hereinafter “CVC”), who are the employers of the Plaintiff Friday Ikiinwii (hereinafter “Plaintiff”). Plaintiff contends that he has been discriminated against based on his national origin by being denied benefits that were received by others hired at the same time as him, to do the same work, at similar hours per week, who are not immigrants. Plaintiff also contends that he has suffered from Retaliation based on Defendants cutting his hours after he brought the prior issue to their attention.

2. This action is brought pursuant to 42 U.S.C. Section 2000e., et seq., commonly referred to as the Civil Rights Act of 1964 and all the amendments thereto. The Court has subject matter jurisdiction of this action under 42 U.S.C. Section 2000e-5(f). Plaintiff further invokes the

supplemental jurisdiction of this Court to hear and decide claims arising under state law (MO. Rev. Stat. § 213), pursuant to 28 U.S.C. § 1367.

### **PARTIES**

3. Plaintiff, who is a permanent resident of the United States, and resident of the City of Saint Louis, State of Missouri, and the United States of America. Plaintiff is African, and was born in Nigeria.

4. At all times referred to herein, Defendant America's Center is a convention complex located at 701 Convention Plaza, St. Louis, MO 63104.

5. At all times referred to herein, Defendant CVC is a non-profit organization that manages and staffs the America's Center Convention Complex, and whose principal place of business is located at 701 Convention Plaza, Suite 300, St. Louis, MO 63102.

### **FACTS**

6. On or about August 19, 2009 Plaintiff was hired to work at the America's Center along with three other individuals, all of whom are African-American. All of these individuals worked similar shifts, and performed similar work. The only difference between he and his co-workers is that he is an African National with permanent resident status in the United States.

7. On or about mid February 2014 Plaintiff learned from co-workers hired the same time, and working the same full time hours, that they were receiving benefits that he was never offered.

8. After his shift, he contacted Pamela Pierce, a human resources employee of CVC, who stated that she didn't know why he was not receiving benefits. She instructed him to come back to speak to the V.P of Human Resources, Nila Tuckson, the next day on his break.

9. Upon Plaintiff's return the next day at the H.R. Department, Plaintiff was berated by the

V.P. as to why he was inquiring about his benefits, and instructed Plaintiff that because he is a part time employee he was not eligible for the benefits. She also instructed him to speak with the Operations Manager, who was out of his office when Plaintiff arrived there.

10. Plaintiff then worked three more days through the weekend, and when the next schedule was released he saw that his hours were cut from 40 hours a week to 30..

11. Plaintiff has continued to work 30 hour work weeks since his hours were cut in February of 2014.

12. Plaintiff has suffered at least two work related injuries and has been denied treatment for lack of benefits or proper paperwork from Defendants.

### **CAUSE OF ACTION**

#### **COUNT I**

#### **EMPLOYMENT DISCRIMINATION BASED ON NATIONAL ORIGIN**

For his cause of action against Defendants America's Center and CVC in Count I, Plaintiff states;

17. Plaintiff repleads paragraphs 1-12 as fully set forth herein.

18. Plaintiff is a member of a protected class, as he is a permanent resident with a green card, who was born and immigrated to the United States from Nigeria.

19. Plaintiff was hired the same day, worked the same amount of hours, and performed the same type of work as at least two other individuals who are not immigrants. Both of those individuals received benefits throughout the course of their employment with Defendant CVC and Defendant America's Center, while Plaintiff did not.

20. Plaintiff immediately inquired to Defendants as to why he was not receiving benefits, and Defendants told him that he was a part time worker, despite working 40 hours a week for five years.

WHEREFORE, Plaintiff prays for judgment against Defendants for compensatory damages in an amount which is fair, just and reasonable under the circumstances, and for punitive damages, plus costs of this action, attorney's fees, and such other relief as the Court deems fair and appropriate under the circumstances.

## **COUNT II**

### **RETALIATION**

For his cause of action against Defendants America's Center and CVC in Count II, Plaintiff states:

21. Plaintiff repleads paragraphs 1-12 as fully set forth herein.

22. In February 2014, after learning that his co-workers were receiving benefits, Plaintiff consulted with Defendants' Human Resources office, and the next day was told that he was not receiving benefits because he was only part time, which he didn't understand, and expressed the fact that he had worked 40 hours a week for five years.

23. The work schedule immediately preceding Plaintiffs conversation with Defendants' Human Resources Department showed that his hours were cut to 30 a week instead of 40.

24. Plaintiff was retaliated against when Defendants cut his as a result of his inquiry as to why he wasn't receiving the same benefits as his American born co-workers..

WHEREFORE, Plaintiff prays for judgment against Defendants for compensatory damages in an amount which is fair, just and reasonable under the circumstances, and for punitive damages, plus costs of this action, attorney's fees, and such other relief as the Court deems fair and appropriate under the circumstances.

## **JURY DEMAND**

COMES NOW PLAINTIFF and pursuant to Rule 38(b) of the Federal Rules of Civil Procedure demand a trial by jury of all issues alleged in this Complaint.

Respectfully submitted.



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CERTIFICATE OF SERVICE

A copy of the foregoing was e-filed on this 21st day of January 2015 to Clerk of Court, 111 South 10th Street, St. Louis, MO 63102.



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Attorney at Law